



: for the "privilege" of living in the community. Just as Michael Jackson

I didn't know that buying a piece of land was something in which my rights would be parlayed away. I thought that the right of anyone to live anywhere was a basic tenent of this country. What's next, I've got to have my papers in order to move?

: can make a "no talk" clause in his multi-million dollar lawsuit settlement,  
: so can you be asked to "give up" certain controls over your property.

^^^^

One is never 'asked' in a CC&R case!!! As you say, they're hidden and not widely advertised. Do you check every transaction you make? What if the next hamburger you buy has a 'we own your car now' clause that you weren't told about? Did you reasonably expect there to be such a thing? Of course not. What rational (first time) property buyer would believe that such a ridiculous thing existed? Either I'm buying a piece of america, where I can exercise my rights, or (apparently) I'm buying a chunk of Cuba where my neighbors control my actions. See below about 'asking' to 'give up' a right.

So let's get this straight. As a person I am guaranteed certain unalienable rights by the Constitution. Those rights may not be infringed by the Federal Government (Congress). Most states have very similar charters that reinforce the idea that those rights will not be violated by the state governments either. If this is the case, how can my pursuit of happiness/free speech/right to bear arms be limited (infringed) by a legally binding contract? If an association takes me to court, who upholds the contract? The state/federal court. They are then a party to discrimination.

: You should note that in no way are your rights being infringed. You are  
: still perfectly able to construct an indoor antenna system in your attic,  
: put up a Isolooop in the room, etc., to use your radio gear. Tower and  
: antenna restrictions do not prevent you from using your radio, simply  
: prevent you from constructing an outdoor antenna system.

And thereby exposing me, my family, and possibly my neighbors to excessive RF radiation. Have you ever tried to receive 150 KHz inside? How about 10Ghz? Doesn't go thru buildings worth a durn. I consider the word 'infringed' to mean limited in any way, not necessarily abolished. Telling me I can't say bad things about Bubba is an infringement to free speech without telling me I must remain totally silent. Try telling a black man that he can't go into a particular store. What's the difference between a violation of the amendment(s) dealing with racism vs the ones dealing with right to free speech/liberty and the pursuit of happiness?? Answer: there's no difference, other than one is held pure and the other is stomped on in the name of asthetics.

: > Maybe you'd stand  
: > by and let them take away some of your other rights. Remember, issues of  
: > RF are under the sole jurisdiction of the FEDERAL communications commission,  
: > not some state body or worse yet money grabbing developers.

: Your lack of ability to erect an antenna has nothing to do with the FCC,  
: or your ability to emit RF.

Then why does PRB-1 exist at all? Obviously the FCC considers the ability to erect outdoor antennas to be part and parcel of their jurisdiction and part of the privilege granted with the amateur license. They consider 'restrictive' antenna ordinances to be an infringement of their FEDERAL jurisdiction and my privilege to operate my transmitters and antennas.

: > There are  
: > covenants against ownership of guns in developments. Doesn't that smell of  
: > a second amendment violation? It is a serious weakness IMHO that laws in  
: > this country can be passed without having to be subjected to critical  
: > scrutiny regarding their legality and constitutionality.

: One of the things about rights is that people are often willing to give  
: them up for stupid things. Some people want to give up their right to bear  
: arms for additional "protection" from criminals. (ha!) However, the fact  
: remains that you can be asked not to "exercise" certain 'rights' if you  
: purchase a piece of property.

: The key element here is your decision to purchase. If you decide to  
: purchase, then quit whining, you got what you deserved, don't start  
: whining about how "unfair" things are and how your "rights" are being  
: violated - you voluntarily waived your "rights" when you signed the  
: contractual agreement.

It is my understanding that we cannot "give up" our inalienable rights. They're stuck to you like glue as a virtue of your being alive. Even if one "gives up" a right, the state/feds/other people still cannot infringe it. This protects immigrants and those who may not fully understand their rights from being made into 'indentured servants' by those that would take advantage of them. Are you saying that someone could buy up my right to free speech? I don't think so. Even if I sold it, the contract would never hold up in court because it was a violation of my Constitutional rights. For the record, I have no personal interest in this matter at all as a homebuyer. I don't have to be personally affected by a stupid law/situation to be mobilized to try to do something about it.

: > If a law is later  
: > found to be illegal or unconstitutional, there is absolutely no recourse

: > for those already zapped by that bogus law.

: The Supreme Court states that the police are to "read you your rights"  
: when you are arrested. You can also elect to waive those rights. The same  
: applies with CC&Rs.

You will note that those Miranda "rights" do not coincide with anything in the constitution. The Constitutional Rights cannot be waived. The Miranda rights are there to assure you that you'll be treated correctly by the police, and that you won't be thrown in a hole for a month without being charged. Also, waived is the wrong word. Waived means voluntarily agreeing to not be bound by something. At any point after you've had your rights read to you, you may invoke any of these rights. If you confess and start blabbing and decide to shut up later, you may. If at first you don't want a lawyer but later find that it would be in your best interest, you may then request one. You aren't "waiving" the rights, you are electing to not take advantage of them at that moment. The rights have not been waived - just not immediately invoked. This isn't very clear, do you see the point?

: > Refusing to sell because a buyer won't agree to illegal demands is  
: > discrimination against those of us who refute the so called 'authority'  
: > of those silly self-proclaimed associations. If those covenants are indeed  
: > illegal, wouldn't that mean that the contract itself is void, since a valid  
: > contract cannot contain an illegal agreement?

: Naturally, however, unlike CC&R's which restricted what the color of a  
: buyer's skin can be, a CC&R on mounting an antenna does not violate anyone  
: else's rights, except yours. The key point with the former is that you  
: are violating the rights of someone else. In the latter, you are simply  
: told you cannot erect an antenna - not a violation of your "rights", since  
: you can still exercise them - only without an outdoor antenna.

Bzzt. In both arguments the rights of the buyer are being violated. IMHO there is absolutely no difference between racism and any other unreasonable restriction on one's freedoms. Here's my definition of my right to liberty and the pursuit of happiness: If an activity that I choose to engage in is otherwise legal, then my right to participate in that activity is being violated if I cannot perform that activity as fully as I could somewhere else. For instance, where I live now I have a 125' tower in my back yard. It is legal to have. If I move to an area where it is still legal (by the statutes of the appropriate jurisdictions) to have that tower, then anyone that attempts to limit in any way my right to have that tower is violating my right to liberty/pursuit of happiness. What if when I approached the seller I informed him of my specific intent to build a tower. Can he refuse to sell to me based on that information? Is that legal?

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David Tiller | Network Administrator | Voice: (804) 752-7373 |

dtiller@rmc.edu | Randolph-Macon College | Fax: (804) 752-7231 |  
"Drunk, [Beowulf] slew | P.O. Box 5005 | ICBM: 37d 42' 43.75" N |  
no hearth companions." | Ashland, Va 23005 | 77d 31' 32.19" W |

-----  
Date: Thu, 17 Feb 1994 05:10:35 GMT  
From: swrinde!cs.utexas.edu!howland.reston.ans.net!agate!iat.holonet.net!pubcon!  
kent.betts@network.ucsd.edu  
Subject: DAB Symposium  
To: ham-policy@ucsd.edu

Broadcasters discuss DAB standards

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BBC World Service 'Waveguide'

Ten international broadcasters from nine countries met in London in January to attend a symposium on Digital Audio Broadcasting. They discussed broadcasting standards and frequency allocations.

DAB would allow broadcasters to reach wide areas with FM-quality sound. A special receiver is required, and costs about \$200. The expense of the receiver is a problem in developing countries.

Spectrums discussed included the hotly contested band between 1452-1492 MHz. The U.S. uses this band for aeronautic telemetry. 1500 MHz, 2310-2360 MHz, and 2.5 GHz are all possible international bands for DAB.

The symposium was hosted by the World Service of the BBC in order to provide for an exchange of views and 'a start on the future'.

DAB domestic broadcasts will begin in Europe in the summer of 1995, with international broadcasting to begin at some later date.

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Date: 17 Feb 1994 23:24:40 -0600  
From: agate!howland.reston.ans.net!cs.utexas.edu!swrinde!menudo.uh.edu!  
uuneo.NeoSoft.com!sugar.NeoSoft.COM!not-for-mail@network.ucsd.edu  
Subject: Dan Pickersgill, Ham Operator and proud of it!  
To: ham-policy@ucsd.edu

In article <1994Feb17.211534.25508@newsgate.sps.mot.com>,  
Rick Aldom <ayka60@email.sps.mot.com> wrote:  
>In article <1994Feb17.153537.9683@cs.brown.edu> Michael P. Deignan,  
>md@maxcy2.maxcy.brown.edu writes:  
>>Well, it has flooded our spectrum - our 2 meter spectrum. Usage

>>on other bands has increased minimally. 2 Meters is the bright  
>>spotlight in the middle of a field at night - it attracts all  
>>the bugs.

>

> Yep, I been called many things but bugs ain't one of them. As much as  
>you don't want the change, I predict that within the next few years you  
>will see more petitions go before the FCC that deal with the insane  
>requirement of Morse code. The point you missed is that our numbers are  
>growing, and many of us feel the resentment other hams have concerning  
>our license status is unwarranted. Many of us feel that the technical  
>contributions that we could offer the ham community should be considered  
>when upgrading.

The only "technical contributions" I have seen Codeless Technicians  
offer the ham community is their flocking to Two Meters in droves,  
and their colorful CB "slanguage."

And yes, I do see more petitions being forwarded to the FCC in order  
to "dumb down" the hobby. Putting forth effort to earn a license  
is total insanity!

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Radiographers who are able to use a radiographic machine well are  
great assets to the health care facility in which they are employed.

--Dianne C. DeVos, "Basic Principles of Radiographic Exposure"

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Date: Thu, 17 Feb 1994 15:35:37 GMT  
From: brunix!maxcy2.maxcy.brown.edu!md@uunet.uu.net  
Subject: Dan Pickersgill, Ham Operator and proud of it!  
To: ham-policy@ucsd.edu

Rick Aldom <ayka60@email.sps.mot.com> writes:

> Or is your club (broad assumption that you are a  
> member of a local club) to proud to welcome a new ham and take his money  
> at the door.

We're more than happy to take money. Our Membership fees range from  
\$4,000 to \$100, depending on license level. Of course, some people  
complain about it, but we like to think of it as "incentive licensing".

> It stands to reason that the  
> usage is up on two meters, but as our numbers grow.....beware as our  
> combined voice will be heard by the FCC.

The codeless technician license was claimed by many to be the saving grace of amateur spectrum, that it would flood our spectrum with loads of new hams.

Well, it has flooded our spectrum - our 2 meter spectrum. Usage on other bands has increased minimally. 2 Meters is the bright spotlight in the middle of a field at night - it attracts all the bugs.

MD

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-- Michael P. Deignan  
-- Population Studies & Training Center  
-- Brown University, Box 1916, Providence, RI 02912  
-- (401) 863-7284

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Date: Fri, 18 Feb 1994 01:08:47 GMT  
From: agate!iat.holonet.net!gemstar2!bonnie\_freeland@network.ucsd.edu  
Subject: Hello  
To: ham-policy@ucsd.edu

lapevan@argo.bank.ash.alma.ata.su

Hello, my name is Bonnie and I am a good friend of smokeman. He gave me your address and I thought I drop you a few lines. I live on the West coast of the USA. The town is called Ridgecrest and it is in the Mohave Desert. I would like to hear from you in return. My Internet address is bonnie\_freeland@gssbss.com  
Bonnie

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Date: Wed, 16 Feb 1994 10:43:00 GMT  
From: agate!iat.holonet.net!gemstar2!bonnie\_freeland@ames.arpa  
Subject: Hello  
To: ham-policy@ucsd.edu

stas@oipko.omsk.su  
Hello,

Smokeman is a very good friend of mine and he gave me your address for Internet so I thought I'd drop you a line. I live in the West Coast in California, a small town called Ridgecrest, Ca USA in the desert. Smokeman and I have been corresponding for over a year and have had the pleasure to talk to him both on the phone and radio. He and Jean,

his wife are great friends to have.

Hope you will respond as I would like to meet new friends and receive new message.

My name is Bonnie and my Internet address is bonnie\_freeland@gssbss.com

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Date: 17 Feb 1994 23:30:03 -0600  
From: agate!howland.reston.ans.net!cs.utexas.edu!swrinde!menudo.uh.edu!  
uuneo.NeoSoft.com!sugar.NeoSoft.COM!not-for-mail@network.ucsd.edu  
Subject: Hello  
To: ham-policy@ucsd.edu

In article <CDC1F421@gemstar2.uu.holonet.net>,  
bonnie freeland <BONNIE\_FREELAND@gemstar2.uu.holonet.net> wrote:  
>lapevan@argo.bank.ash.alma.ata.su  
>

>Hello, my name is Bonnie and I am a good friend of smokeman. He gave me  
>your address and I thought I drop you a few lines. I live on the West  
>coast of the USA. The town is called Ridgecrest and it is in the Mohave  
>Desert. I would like to hear from you in return. My Internet address  
>is bonnie\_freeland@gssbss.com

What is a smokeman? Is that his handle?

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Radiographers who are able to use a radiographic machine well are  
great assets to the health care facility in which they are employed.

--Dianne C. DeVos, "Basic Principles of Radiographic Exposure"

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Date: 17 Feb 1994 23:10:28 -0600  
From: agate!usenet.ins.cwru.edu!magnus.acs.ohio-state.edu!math.ohio-state.edu!  
cs.utexas.edu!swrinde!menudo.uh.edu!uuneo.NeoSoft.com!sugar.NeoSoft.COM!not-for-  
mail@network.ucsd.edu  
Subject: Industry gets more Amateur Spectrum  
To: ham-policy@ucsd.edu

In article <millar.77.000832F7@nhqvax.sanders.lockheed.com>,  
Jeffrey R. Millar <millar@nhqvax.sanders.lockheed.com> wrote:  
>The Commerce Dept, in conjunction with DoD plans to give 200 MHz of spectrum  
>space in the 1200 - 4800 MHz area to industry. This includes 2300-2310 and  
>2402-2417 MHz. One annoying aspect, the 2402-2417 MHz segment goes to  
>industry in August 1994 without a comment and review period.



>

>We need to gear up to fight this. Without a 2400 MHz allocation, repeaters  
>in this band won't work.

Too bad all those Codeless Techs are yakking away on Two Meters.

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great assets to the health care facility in which they are employed.

--Dianne C. DeVos, "Basic Principles of Radiographic Exposure"

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Date: Thu, 17 Feb 1994 14:02:53 GMT

From: world!drt@uunet.uu.net

Subject: Morse Code testing (was Re: ARRL's Lifetime Amateur licenses)

To: ham-policy@ucsd.edu

Dan Pickersgill (dan@mystis.wariat.org) wrote:

: ehare@arrl.org (Ed Hare (KA1CV)) writes:

: (Well stated position on code-nocode and hams in general deleted)

: Ed, the only thing I would take exception to (and you mentioned it) is  
: that morse is an encryption method not a language. And it IS memorized  
: the fact that you have limited time to respond is a conditioned response  
: again, not learned. Conditioned. Any one remember Dr. Pavlov?

You say this often, but I don't understand why \*language\* is not a  
conditioned response. Babies are born babbling all human sounds; as a  
language is acquired, we lose the ones we don't use, e.g., for  
English-speakers, the Arabic "q", the Russian hard "l", the French  
"eu", and lots of others. If that isn't conditioning, I don't know  
what is - wrong sounds are corrected and remain unreinforced until  
they're completely lost. It doesn't take much imagination to see why  
impressing a child with a conditioned response to the word "no" is a  
very important parental task. Would you say that sign language is a  
cipher? How about the manual alphabet, a necessary part of sign  
language for names and such? Plenty of conditioning there, and you  
sure don't have much time to get it right. What about writing? Isn't  
what you're reading now a cipher, just as much as morse code is? I  
don't see the essential difference. And it sure took many years of  
hard conditioning on parental knee - "Go, dog, go!" - before I could  
read fluently. Code was much easier. Spoken language, sign language,  
and even written language at times all have a limited time for you to  
respond, so they must all be memorized ... hence unworthy? Doesn't  
follow.

It seems to me the distinction between cipher and language is fuzzy at best. It won't hold an argument up. The utilitarian/necessity argument is a stronger one for the no-code side.

-drt

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David R. Tucker           KG2S           drt@world.std.com

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Date: Thu, 17 Feb 1994 22:51:51 GMT  
From: psinntp!arrl.org!ehare@uunet.uu.net  
Subject: This is USENET, so even Codeless Techs can post!  
To: ham-policy@ucsd.edu

Jeffrey D. Angus (janguis@skyld.grendel.com) wrote:

: In article <1994Feb16.134306.4607@arrl.org> ehare@arrl.org writes:

: [ tons of other stuff deleted ]

: > If freedom of speech ends where others get annoyed, this forum would  
: > be strangely quiet.

: Oh no, now you've done it. Attempting to inject some common sense into  
: \*.policy.

Actually, I wasn't trying to interject common sense; I was trying for humor -- okay, with a bit of a point thrown in. Now, some of the CB "lingo" annoys me, and I don't mind saying that I find much of it quite un-necessary. But, I firmly believe that freedom of speech has to encompass the rights of people to make up cute words, or speak in any language, or even make downright fools of themselves. It also encompasses the rights of other people to say that they like it, or don't like it, or even that they think it is stupid. People can even say "you can't say that here"; it is just that, under free speech, in most cases they can indeed say it here or anywhere else they wish.

If newcomers to the hobby bring a few of the mannerisms they learned along the way, is it all that important? If a former CBer is talking on a repeater with another former CBer, do they not have the right to toss in a "good buddy" or two? Consider for a moment the impact if you go to your neighbor and say "I worked a ZA2 last night on 20 meters at about 0400 Zulu", or "Well, your EMI problem is not my

fault. My transceiver has a low-pass filter and you will have to buy a common-mode choke for your feedline."

In most cases, the newcomers, as they become accepted into our community, will adopt many of our mannerisms. And, along the way we will adopt some of theirs. Why, I even heard Iron Butterfly's Inagadavida on a department store music system not too long ago. (It's an old 60s hippy song, for the many folks who weren't around during that golden era :- ) ). Each generation leaves its imprint on our culture; each generation creates a part of the culture that is all its own. Perhaps the best we can hope for is that we can pass along the best of our way; perhaps the best each new generation can hope for is that we accept parts of their ways.

: Ed Hare just killed this thread as effectively as mentioning anything  
: involving the 3rd Reich will kill any other discussion on Usenet.

Gosh, I really didn't mean to! Maybe my tossing about some of my radical ideas will bring it back to life. So -- the question of the day is: "Are CBisms and techniques a good or bad thing for Amateur Radio, and why?" or "Is tolerance of the ways we are different a good thing or bad thing for Amateur Radio, and why?"

73 from ARRL HQ, Ed

— —

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Ed Hare, KA1CV  
American Radio Relay League

Date: 17 Feb 1994 23:14:59 -0600  
From: agate!howland.reston.ans.net!cs.utexas.edu!swrinde!menudo.uh.edu!  
uuneo.NeoSoft.com!sugar.NeoSoft.COM!not-for-mail@network.ucsd.edu  
To: ham-policy@ucsd.edu

References <1994Feb17.153537.9683@cs.brown.edu>, <2k0eph\$m80@sugar.NeoSoft.COM>,  
<1994Feb17.200906.24000@cs.brown.edu>.NeoS  
Subject : Re: Dan Pickersgill, Ham Operator and proud of it!

In article <1994Feb17.200906.24000@cs.brown.edu>,  
Michael P. Deignan <md@maxcy2.maxcy.brown.edu> wrote:  
>In article <2k0eph\$m80@sugar.NeoSoft.COM>,  
> xraytech@sugar.NeoSoft.COM (A great x ray technician!) writes:

>  
>|> Would you mind posting your membership rates, specific to license class,  
>|> Michael?

>  
>At the last Board Of Directors meeting, the membership rates for 1994  
>were set as follows:

>  
>Extra: \$125, Advanced: \$250, General: \$500, Technician w/ HF: \$1000,  
>Novice: \$2,000, Technician w/o HF: \$4,000

>  
It would be interesting to see if Dan could pony up the four grand to join.

>Incentive licensing in action.

>  
>|> The League originally submitted one, which would allow all privileges  
>|> 222 MHz and above. It seems like that would more accurately fulfill  
>|> the claim that they will populate underutilized bands in the VHF/UHF  
>|> spectrum.

>  
>Yes, I did like the League's proposal. I must admit that it would  
>have steered the license class towards the "digital" portion of the  
>hobby, which was supposedly what the codeless license was supposed  
>to attract. However, once the decision was made to open up the ability  
>to vocalize "we're going to get off the superslab here and get some  
>motion lotion" via a 2 meter repeater, then the CBers sat up,  
>took note, and decided to lend themselves credibility by answering  
>some memorized questions and calling themselves "hams".

>  
Hams, and proud of it!

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Radiographers who are able to use a radiographic machine well are  
great assets to the health care facility in which they are employed.

--Dianne C. DeVos, "Basic Principles of Radiographic Exposure"

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End of Ham-Policy Digest V94 #71

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